

REMARKS

Claims 1 – 7 and 9 – 18 are pending in the application.

With regard to the rejection of the proposed drawings submitted with the previous amendment, please cancel this proposal and substitute therefor the enclosed new proposed Fig. 1a, which shows a base as a separate component. Support for this proposed drawing change can be found at the top of page 5 of the specification of the instant application. It is therefore respectfully submitted that no new matter is being added. With regard to the aperture feature of claim 8, this claim has been cancelled, so that no further drawing therefor is required. If the proposed Fig. 1a is approved, the following language could be added to page 2 of the specification:

"Fig. 1a shows a base as a separate component;"

With regard to newly submitted claim 18, which defines the open space 29 that is shown in Fig. 1, support for this feature can be found on page 6, lines 3 – 8 of the specification.

Addressing now the Examiner's substantive rejection of the claims of the instant application, and in particular the rejection of several of the claims as being anticipated by Golden, MPEP section 2131 states that **TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM.** It is respectfully submitted that Golden does not in fact teach every element of claim 1.

The heat-conducting support of claim 1 of the present application requires a metallic unit having an inner portion 21, an outer portion 24, and a base 26, wherein the inner portion 21 is concavely curved to support a vessel, with the inner and outer

portions then being further defined. With regard to the Examiner's rejection, it is respectfully submitted that the common understanding of "round" within the context of the instant application, which, as indicated above, states that the inner portion 21 "is concavely curved" would not be the circumference, but rather the support surface, which, again as indicated, is required by claim 1 to be concavely curved, i.e. to provide a concavely curved support surface for supporting a substantially complementarily shaped curved or round bottom vessel (see page 4, lines 7 – 12 of the specification of the instant application). It is respectfully submitted that in distinct contrast to the requirements of claim 1 of the present application, Golden does not even provide a heat-conducting support (see, for example, the first column of Golden, lines 5 – 7, which talk about the apparatus being intended for cold sterilizing solution, i.e., Golden is not intended for placement on a heating element, as expressly required by claim 1 of the instant application). Furthermore, Golden provides a substantially flat support surface since the vessels to be supported are also flat. Please note that if a curved or round bottom vessel or flask were to be placed upon the base of Golden, it would tip out of the base. Furthermore, the circular recess 2 of Golden is certainly not contemplated for heat transfer, as evidenced by the language in column 1, lines 40 – 44. Such a recess would probably not even contact the bottom of a curved bottom vessel, and certainly would not provide an adequate heat transfer surface for such a vessel. Thus, it is respectfully submitted that Golden can provide no teaching or suggestion for an inner portion that serves as a support and that in particular is concavely curved.

Although Applicant believes that the present language of claim 1 already clearly

distinguishes over the Golden reference, should the Examiner believe that it is necessary to further clarify that the concavely curved inner portion is not flat, Applicant would appreciate a specific proposal. For example, the "round" language could be eliminated, if necessary.

In further support of the foregoing discussion relating to how claim 1 distinguishes from the Golden reference, Applicant respectfully submits that the Examiner has himself already recognized that "Golden does not teach this structure", i.e. the degree that the bottom has to be curved (see page 6 of the present Office Action). In this connection, the Examiner has therefore combined Golden with the Spremulli reference. However, it is respectfully submitted that Spremulli is certainly not analogous art, and is therefore an improper reference pursuant to MPEP section 2141.01(a). In particular, the field of endeavor of Spremulli, i.e. garbage cans, is clearly not the same as the heat-conducting support of the present invention, and furthermore is not reasonably pertinent to the present inventor's problem of providing improved heat transfer to a vessel. It is furthermore respectfully submitted that one of ordinary skill in the art would not look to a garbage can disclosure for any suggestion regarding improvement to a heat-conducting support (a heating mantle or a thermal adapter).

In view of the foregoing discussion, Applicant respectfully submits that the claims of the present application should now all be patentable over the cited art. However, should the Examiner still not agree, or should he have any further comments or suggestions, the undersigned respectfully requests a telephone interview with him to resolve any outstanding issues and to formulate appropriate claim language that will

place the application into condition for allowance.

Respectfully Submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE:**IN THE CLAIMS:**

Claim 8 is cancelled.

New claim 18 is added.

18. A heat-conducting support according to claim 1, wherein said inner portion and said outer portion define a space that is open in a direction away from where said inner and outer portions adjoin one another.